

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

See instructions for "Service of Process by U.S. Marshal"

PLAINTIFF <u>UNITED STATES OF AMERICA</u>		COURT CASE NUMBER <u>CIVIL NO. 97-1816(JAF)</u>	
DEFENDANT <u>GREGORIO PRATTS APONTE, ET AL.</u>		TYPE OF PROCESS <u>NOTICE OF SALE</u>	
SERVE AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN <u>CLERK, U.S. DISTRICT COURT</u>		
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) <u>San Juan, PR</u>		
	SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW		
<input type="checkbox"/> AGNES I. CORDERO Assistant U. S. Attorney Torre Chardón, Suite 1201 350 Carlos E. Chardón Street San Juan, PR 00918 Attn: Foreclosure Unit/GGB/ACR Claim No. 2004v00891		Number of process to be served with this Form	RECEIVED & FILED UNITED STATES MARSHAL NOV 23 54 PM '05 DISTRICT OF PUERTO RICO CLERK'S OFFICE U.S. DISTRICT COURT SAN JUAN, PR
		Number of parties to be served in this case	
		Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Address, All Telephone Numbers, and Estimated Times Available for Service):

Fold

PLEASE INITIAL NOTICE OF SALE AND HOLD PENDING SALE. SERVE ONE
COPY TO CLERK, U.S. COURT AND TWO TO OUR OFFICE.

Signature of Attorney or other Originator requesting service on behalf of: <u>Agnes I. Cordero</u>	<input type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER <u>(787) 766-5656</u>	DATE <u>11/1/05</u>
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SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process <u>1</u>	District of Origin No. <u>69</u>	District to Serve No. <u>69</u>	Signature of Authorized USMS Deputy or Clerk <u>R.B. [Signature]</u>	Date <u>12/16/05</u>
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☒ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the individual, company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode
Address (complete only different than shown above)	Date <u>12/16/05</u> Time <u>4:30</u> am Signature of U.S. Marshal or Deputy <u>[Signature]</u>

Service Fee <u>\$20.00</u>	Total Mileage Charges including endeavors <u>—</u>	Forwarding Fee <u>—</u>	Total Charges <u>\$20.00</u>	Advance Deposits	Amount owed to U.S. Marshal* or (Amount of Refund*)
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REMARKS:

NOTICE OF SALE, COPY
ATTACHED HERE TO FILE
FOR CLERK, RETURNED TWO
COPIES TO REQUESTOR

PRIOR EDITIONS
MAY BE USED

PRINT 5 COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

FORM USM-285
Rev. 12/15/80
Automated 01/00

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA
(Rural Development)
Plaintiff

v.

GREGORIO PRATTS-APONTE, BYVIAN
NEGRON-QUINONES, and the
conjugal partnership constituted
by both
Defendant

CIVIL NO. 97-1816 (JAF)
FORECLOSURE OF MORTGAGE

RECEIVED & FILED
05 DEC 20 PM 12:25
CLERK'S OFFICE
U.S. DISTRICT COURT
SAN JUAN, P.R.
RECEIVED
UNITED STATES
MARSHAL
NOV 2 3 54 PM '05
DISTRICT OF
PUERTO RICO

NOTICE OF SALE

To: GREGORIO PRATTS-APONTE, BYVIAN NEGRON-QUINONES, and the
conjugal partnership constituted by both, and any other party
with interest over the property mentioned below.

WHEREAS: Judgment in favor of the United States of America
for the principal aggregate amount of \$36,017.22 plus \$2,806.51 in
interest accrued as of January 24, 1997, plus 10.6078% per day from
then on until payment in full, plus attorney's fees and costs, plus
any charge, fee, cost or disbursement that may have been incurred
by plaintiff according to the terms of the promissory note or
mortgage loan being foreclosed.

The records of the case and of these proceedings may be
examined by interested parties at the Office of the Clerk of the
United States District Court, Federal Building, Chardón Avenue,
Hato Rey, Puerto Rico.

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WHEREAS: Pursuant to the terms of the aforementioned judgment and the order of execution thereof, the following property belonging to the defendant will be sold at public auction:

SOLAR: radicado en la URBANIZACION LA ESPERANZA localizado en el Barrio Espinosa del Municipio de Vega Alta, Puerto Rico, que se describe en el piano de inscription de la Urbanizacion, con el numero, area y colindancias que se relacionan a continuacion:

NUMERO DEL SOLAR: SIETE (7) DE LA MANZANA "L" de la Urbanizacion.

AREA DEL SOLAR: TRESCIENTOS CUARENTIOCHO METROS CUADRADOS (348.00m.c.), en lindes por el NORTE: con la Calle Numero Once (11) en una distancia de doce metros (12.00); por el SUR: con los solares Numero Quince (15) y Dieciseis (16) en una distancia de doce metros (12.00); por el ESTE: con el Solar Numero Seis (6) en una distancia de veintinueve metros (29.00); por el OESTE: con el Solar Numero Ocho (8) en una distancia de veintinueve metros (29.00).

Enclava en dicho solar una estructura de concreto para fines residenciales.

Plaintiffs' mortgage is recorded at page 17, volume 156 of Vega Alta, property number 8014 Bis, 2nd inscription, at the Registry of Property of Bayamon, Section III, Puerto Rico.

WHEREAS: This property is subject to the following liens:

Senior Liens: None

Junior Liens: None

Other Liens:

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Potential bidders are advised to verify the extent of preferential liens with the holders thereof. It shall be understood that each bidder accepts as sufficient the title and that prior and preferential liens to the one being foreclosed upon, including but not limited to any property tax liens (express, tacit, implied or legal), shall continue in effect it being understood further that the successful bidder accepts them and is subrogated in the responsibility for the same and that the bid price shall not be applied toward their cancellation.

WHEREAS: For the purpose of the first judicial sale, the minimum bid agreed upon by the parties in the mortgage deed will be \$38,580.00 and no lower offer will be accepted. Should the first judicial sale of the above described property be unsuccessful, then the minimum bid for the property on the second judicial sale will be two-thirds the amount of the minimum bid for the first judicial sale. The minimum bid for a third judicial sale, if the same is necessary, will be one-half of the minimum bid agreed upon the parties in the aforementioned mortgage deed. (30 LPRA 2721, Mortgage and Property Registry Act, Act. No. 198, Article 221, as amended).

WHEREAS: Said sale to be made by the United States Marshal is subject to confirmation by the United States District Court for the District of Puerto Rico and the deed of conveyance and possession

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to the property will be executed and delivered only after such confirmation.

NOW THEREFORE, public notice is hereby given that the United States Marshal, pursuant to the provisions of the Judgment hereinbefore referred to will, on the 9th day of **February, 2006** at **11:00 a.m.** of said day, in the Office of the Marshal for the Superior Court of Puerto Rico, Bayamón Part, located at Centro Judicial, Carr. #2, Km. 11.3 Esq. Esteban Padilla, Bayamón , Puerto Rico, in accordance with 28 U.S.C. 2001, will sell at public auction to the highest bidder, the property described herein, the proceeds of said sale to be applied in the manner and form provided by the said judgment:

Should the first judicial sale set hereinabove be unsuccessful, the second judicial sale of the property described in this Notice will be held on the 16th day of **February, 2006** at **11:00 a.m.** of said day, in the Office of the Marshal of this Court located at the address indicated above. Should the second judicial sale set hereinabove be unsuccessful, the third judicial sale of the property described in this Notice will be held on the 23rd day

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of **February, 2006** at **11:00 a.m.** of said day, in the Office of the
Marshal of this Court located at the address indicated above.

In San Juan, Puerto Rico, this 16th day of December, 2005.

HERMAN J. WIRSHING
United States Marshal

By: _____


Roberto Schmidt
Legal Technician